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7 Attorneys for Defendants,  
 8 OFFICEMAX INCORPORATED, a Delaware  
 corporation and OFFICEMAX NORTH AMERICA,  
 9 INC., an Ohio corporation

## 10 UNITED STATES DISTRICT COURT

## 11 NORTHERN DISTRICT OF CALIFORNIA

12 WILLIAM MINTER, JR., individually  
 13 and on behalf of all those similarly  
 14 situated,

15 Plaintiff,

16 v.

17 OFFICEMAX, INC., a Delaware  
 18 corporation; OFFICEMAX, INC. fka  
 BOISE CASCADE CORPORATION, a  
 19 Delaware corporation; BOISE OFFICE  
 SOLUTIONS, corporate form unknown;  
 and, DOES 1 through 500, inclusive,

20 Defendants.

21 Case No. C07-02399 BZ

22 NOTICE OF PENDENCY

23 [Local Rule 3-13]

24 TO THIS HONORABLE COURT AND TO ALL INTERESTED PARTIES HEREIN:

25 PLEASE TAKE NOTICE that pursuant to this Court's Local Rule 3-13,  
 26 Defendants, OfficeMax Incorporated and OfficeMax North America, Inc. (hereinafter  
 collectively "OfficeMax" or "Defendants") hereby notify the Court of the pendency of a  
 substantially similar – and previously filed – action in the United States District Court for  
 the Central District (Southern Division) of California, entitled *Mauricio Gonzalez, etc.*,

*et.al. vs. OfficeMax North America, Inc., et.al.*, and bearing Case No. SACV07-452 JVS (MLGx). A copy of Defendant's Notice of Removal in that case – including the Plaintiff's Complaint – is attached hereto as Exhibit "A".

The *Gonzalez* case is substantially similar to the above-referenced action for the following reasons: (a) both lawsuits are putative wage and hour class actions brought on behalf of a nearly identical "class" of current and former California OfficeMax non-exempt, hourly employees; (b) both cases assert similar class claims, including, but not limited to, alleged violations of California meal and rest break laws, the failure to pay appropriate wages (including overtime) when due and the violation of *California Business & Professions Code*, section 17200 et. seq.; (c) both actions are brought against OfficeMax North America, Inc. (a wholly-owned subsidiary of OfficeMax Incorporated – an additional Defendant here); and (d) in both lawsuits, the named plaintiffs (Messrs. Gonzalez and Minter) worked or works for OfficeMax in southern California, and the attorneys representing said Plaintiffs are also located in Orange County.

Concurrently with the filing of this Notice, OfficeMax has also filed a Motion under Title 28 U.S.C. section 1404(a) seeking transfer of this matter to the Central District.

DATED: May 10, 2007

PERKINS COIE LLP

By: /s/ William P. Kannow

William P. Kannow

## Attorneys for Defendants

OFFICEMAX INCORPORATED and  
OFFICEMAX NORTH AMERICA, INC.